ESTTA Tracking number:

ESTTA207223 04/25/2008

Filing date:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91181991
Party	Defendant XShares Advisors LLC
Correspondence Address	NINA SHREVE, AIMEE NASSAU GARDINER FITZPATRICK, CELLA, HARPER & SCINTO 30 ROCKEFELLER PLZ NEW YORK, NY 10112-0002 UNITED STATES tkelly@fchs.com, epagan@fchs.com, docketing@fchs.com
Submission	Stipulated/Consent Motion to Extend
Filer's Name	Nina Shreve
Filer's e-mail	nshreve@fchs.com
Signature	/Nina Shreve/
Date	04/25/2008
Attachments	JointRequestFor30DayExtension.pdf (3 pages)(75906 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

X
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Opposition No.: 91181991
Serial No.: 77/108,374
:

JOINT REQUEST FOR A THIRTY (30) DAY EXTENSION OF ALL DEADLINES

The parties in the above-captioned opposition proceeding, Opposer Barclay's Global Investors, N.A. and Applicant XShares Advisors, L.L.C., hereby jointly move to extend all deadlines in this proceeding for thirty (30) days and to accordingly reset all opposition dates (including the date for Applicant to file its Answer). The request is made because the parties are presently engaged in settlement negotiations, the goal of which will be to resolve the matter without the need to further pursue the opposition. The request is not made for purposes of delay.

Counsel for Applicant, Jennifer B. Hodulik, Esq., of the firm of Greenberg Traurig, L.L.P., has consented to this request, and a Certificate of Service thereon is attached hereto.

Accordingly, subject to the Trademark Trial and Appeal Board's approval of the request set forth herein, the Trial Schedule as set forth in the Board's Order of February 13, 2008, should be re-set as follows:

Time to Answer:	5/27/08
Deadline for Discovery Conference:	6/26/08
Discovery Opens:	6/26/08
Initial disclosures Due:	7/26/08
Expert disclosures Due:	11/26/08
Discovery Closes:	12/23/08
Plaintiff's Pretrial Disclosures:	2/6/09
Plaintiff's 30-day Trial Period Ends:	3/23/09
Defendant's Pretrial Disclosures:	4/7/09
Defendant's 30-day Trial Period Ends:	5/22/09
Plaintiff's Rebuttal Disclosures:	6/6/09
Plaintiff's 15-day Rebuttal Period Ends:	7/6/09

Respectfully submitted,

Dated: April 25, 2008

Nina Shreve

Timothy J. Kelly

FITZPATRICK, CELLA, HARPER

& SCINTO

30 Rockefeller Plaza

New York, New York 10112

(212) 218-2100

Attorneys for Applicant

CERTIFICATE OF SERVICE

I hereby certify that on this the 25th day of April, 2008, a true and correct copy of the foregoing JOINT REQUEST FOR A THIRTY (30) DAY EXTENSION OF ALL DEADLINES has been served upon counsel for Opposer at the address set forth below, by e-mail and First Class Mail, postage prepaid.

Jennifer B. Hodulik, Esq. Greenberg Traurig, L.L.P. 2450 Colorado Avenue, Suite 400E Santa Monica, CA 90404 Hodulikj@gtlaw.com

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